



MINUTES

BOARD OF EQUAL RIGHTS COMMISSIONERS

December 14, 2018 at 2:30pm

Room 301-A, City Hall, 200 E. Wells Street Milwaukee, WI 53202

Present:

Commissioner Chez Ordonez, Acting Chair

Commissioner Mayhoua Moua

Commissioner Tony Snell

Commissioner Martha Collins

Commissioner Reggie Jackson

Commissioner Nathan Guequierre

Sharon Robinson, Director, Dept. of Administration

Jessica Langill, Dept. of Administration

Patricia Ruiz-Cantu, Dept. of Administration

Rebecca Rabatin, ADA Coordinator, Dept. of Administration

Abril Curiel, Fair Housing Council

Shelley Gregory, FORGE

Alex Corona, Milwaukee LGBT Community Center

Natalie Zaroni, Milwaukee LGBT Community Center

Elana Kahn, Milwaukee Jewish Federation

Livia Rowell-Ortiz, Gender Queer Milwaukee

Edie Pasek, Miltown LGBT Milwaukee Families

The meeting was called to order at 2:32 p.m. by Commissioner Ordonez

1. Approval of Minutes from November Meeting

Commissioner Snell moved to approve the minutes, Commissioner Mayhoua seconded. No objections. Minutes approved unanimously.

2. Recognition of Milwaukee Jewish Federation (Equality Award Recipient)

Commissioner Snell nominated the Milwaukee Jewish Federation to receive the Non-Profit Equality Award. Commissioner Snell welcomed Elana Kahn and stated the Milwaukee Jewish Federation has been working to build Jewish community for the past 100 years. He stated that the Jewish Federation has given Milwaukee vibrance and thanked them for the social justice work that they do. The City of Milwaukee Equal Rights Commission recognizes the Milwaukee Jewish Federation for their exemplary community organization that promotes human and civil rights for all. Elana Kahn accepted the award and stated that a city that takes care of their Jewish community is also a city that takes care of other marginalized communities.

3. International Human Rights Day Event Report

Commissioner Ordonez stated that the event was executed with finesse and made an impact on the community that was in attendance. He stated that a woman from Brown Deer told him that she attended because she has been waiting for something to celebrate human rights in the climate that we are currently in. She shared that she moved out of the City of Milwaukee because of the lack of equal rights in the city. Commissioner Snell stated International Human Rights Day is the 10th of December each year. This is the second annual event lead by the ERC. The event was held at America's Black Holocaust Museum and there were approximately 110 attendees. He also mentioned that there was great diversity in the crowd and among the speakers/entertainment. Commissioner Ordonez stated that next year could also include a listening session or a keynote speaker that would draw in more people. Commissioner Snell asked Jessica Langill to follow up on the budget item for HRD.

4. Gender Neutral Bathrooms

Commissioner Ordonez directed the Commissioners to look at the report from Mike Krause (Project Manager, DPW) which was a response of request to establish single-user gender neutral bathrooms. The letter stated that the estimate for the toilet room is \$48,000. Commissioner Ordonez stated that the report did not address the option of making existing bathrooms into gender-neutral restrooms. Commissioner Ordonez stated that the ERC should also look at how to work around state building code. Rebecca Rabatin stated the city could file for a variance through the variance committee. Commissioner Guequierre stated that gender-neutral bathrooms were right in the sweet spot of what the ERC should be working on to make the city more inclusive for all residents. He suggested that this letter from DPW should be considered one data point, but that the ERC should figure out how to find out how other cities have addressed this issue.

Commissioner Ordonez invited the public in attendance to testify on the issue. Alex Corona, Milwaukee LGBT Community Center, stated that ideally all restrooms in the city would be inclusive for all people to use. She stated that some places just designate if the bathroom has urinals or stalls. She stated that she believed all restrooms should be fully inclusive and that she is willing to be a part of the work group to collaborate on this issue. Commissioner Guequierre

stated that there are a number of options on how this issue will be solved, and that it will be important to have community voice on what option would be the most inclusive. Alex Corona stated that the community needs to get past the fear-mongering that has been the focus of the recent bathroom debate.

Shelley Gregory, FORGE, stated they were here in September when the Commission began discussing the issue. Gregory stated that the ERC seems committed to the issue and understands the need for these restrooms. Gregory stated they would be happy to provide a brief overview of what other municipalities have done to mandate changes to the restrooms. Gregory stated that these restrooms should be discussed as “inclusive” as opposed to gender-neutral. Gregory mentioned the Williams Institute study on the mandated inclusive restrooms in Massachusetts. The study showed that bathroom crime decreased after the law was put into effect. Gregory stated that Massachusetts and California mandated that all existing single-user restrooms be converted to inclusive restrooms. Gregory stated that private industries in cities across the country have been putting single-user inclusive restrooms in their buildings. Gregory stated that sex segregated restrooms were originally put in effect to make sure that women had a safe space to use the restroom.

Gregory stated that FORGE would be happy to participate in the process or workgroup. Gregory mentioned a website called “Stalled” that has an innovative approach to revamping multi-user facilities and getting around existing laws. Gregory also mentioned that UWM has converted about half of their restrooms to fully inclusive restrooms, including multi-user restrooms. Gregory suggested that we connect with UWM to find out how they brought about the gender-inclusive multi-user restrooms. Gregory also suggested that the ERC could engage an outside consultant regarding legality. Gregory also suggested that the ERC partner with the Wisconsin LGBT Bar Association.

Commissioner Ordonez recognized the unforeseen road blocks and challenges that Milwaukee will face as this issue is addressed, but that the ERC is committed to addressing it. Commissioner Snell stated that the city is losing out on hiring certain very qualified people due to not having gender-inclusive restrooms at City Hall. Gregory also mentioned the serious adverse health impacts of not having access to restrooms. Gregory stated that fully inclusive restrooms also benefits parents and those caring for individuals who may need to be accompanied in the restroom. Restroom access is universally accepted as a human right. Gregory challenged the ERC to spend a day not using the restroom at work at all to get better insight into what LGBTQ+ communities are facing.

Edie Pasek, Gender Queer MKE and Miltown LGBT Families, stated that there are many locations that have family restrooms. Pasek also stated that there should be tampon/pad dispensers and changing stations in all restrooms. Pasek stated that school bathrooms should also be considered when working on this issue. Pasek stated that having separate men’s and women’s bathrooms does not stop women from being harassed and experiencing violence. Pasek stated that they would also like to be a part of the workgroup on this issue and could

bring the family voice into the discussion. Commissioner Collins stated that her child's school made inclusive bathrooms without making a big deal out of it.

Commissioner Ordonez stated we should go into 2019 with a clear vision on what the ERC would like to do to address this issue. He stated that a workgroup, research, and community input will be extremely important. Rebecca Rabatin stated that if DPW agrees to making single-user restrooms gender inclusive, they will need to get a permit from the Department of Neighborhood Services, who will look to building code for approval. They would probably need to go before the variance committee to work outside of building code. She recommended that DNS be a part of the workgroup. She stated that we will also have to get Common Council approval. Commissioner Ordonez stated the city could avoid the variance committee by not building any new bathrooms, but instead passing a resolution to make all municipal bathrooms gender inclusive.

Commissioner Snell stated that the workgroup would have to be outside the ERC in case a complaint is brought to the ERC regarding gender inclusive restrooms. He stated that the ERC could foster the workgroup like was done for the adaptive bike workgroup. Rebecca Rabatin stated she would reach out to DNS and DPW to create the workgroup. Commissioner Guequierre stated it would be important to find a champion in DNS and DPW.

Commission Guequierre put forth a motion: "Mr. Chairman I wish to move the ERC requests from the LRB a study describing if and how peer cities have begun to address the technical challenges and financial implications, if any, to provide inclusive bathrooms in public buildings, and to identify which cities nationally, regardless of whether they are a Milwaukee peer city, have taken steps to address this issue. Second, I recommend the study include developing single person inclusive bathrooms within existing municipal buildings, developing multi-person inclusive bathrooms within municipal buildings, and any policies related to developing inclusive bathrooms city-wide. Finally, I recommend the study identify the means the cities have taken to address this issue whether through council resolution, executive action, departmental initiative, or otherwise."

Commissioner Snell seconded the first part of the resolution, no objections, approved.

Commissioner Collins seconded the second part of the resolution, no objections, approved.

Commissioner Moua seconded the third part of the resolution, no objections, approved.

5. Strategic Planning Update

Commissioner Ordonez stated the strategic planning committee has met with Denise Patton twice. He stated the meetings have gone very well and the committee has been challenged to think outside of the box about how the ERC can partner with other departments within the city. He also stated the committee and city departments have a strong vision about what the vision of the ERC should be. He stated that a key issue everyone agreed on was having a strong intake process for discrimination complaints. He stated building infrastructure will be very important. Commissioner Guequierre stated he has also found it powerful to get to know members of the committee more. He stated it is essential that all Commissioners participate in the retreat.

Commissioner Snell stated that he is grateful that these discussions are taking place and that there are synergies and structure already in place that will benefit the future success of the ERC. Commissioner Ordonez stated the full retreat will most likely be in March.

Shelley Gregory asked if the ERC would alert the community when the quasi-judicial function/complaint receipt process is available. Commissioner Ordonez stated that the community would definitely be informed, but also that the community should be involved in approving the final process before it goes live. Sharon Robinson seconded the importance of community participation and partnership. Commissioner Ordonez stated that the ERC has the goal of going live with the complaint system by the end of 2019. He stated building community partnerships will be vital in understanding the shared work. Commissioner Snell stated that community partners would also be invited to participate in a portion of the strategic planning retreat.

6. Annual Report Discussion

Commissioner Ordonez stated the deadline for the annual report is quickly approaching (February 15th). He stated there has been a lot of change that will need to be included in the annual report. Commissioner Ordonez stated all agendas, minutes, and event participation will need to be put together. He stated if any Commissioner have experience or interest in participating in the annual report they should let him or Jessica Langill know. He stated he would put together an outline and the process should begin immediately.

7. ERC 75th Anniversary Awareness & Celebration

Commissioner Ordonez directed Commissioners to the history of the ERC that was included in their packets. Commissioner Snell stated that 2019 is the 75 year anniversary of the organization in some form or another, but that it is also the 25th anniversary of the Equal Rights Commission as it is today. He suggested that President Hamilton and the Common Council be invited to be involved in the celebration in 2019, along with the Mayor. He suggested this should be a year-long celebration. He stated the Human Rights Day Committee could be modified as an event committee or 75th anniversary committee.

Commissioner Ordonez stated that the current Human Rights Day Committee will be re-named to the Community Engagement & Awards Committee. He stated committee makeup can change, but that the committee should meet at the beginning of the new year. Commissioner Snell asked that the existing committee schedule a debrief of the past Human Rights Day event. Commissioner Collins stated that she met a Commissioner (Ruth) from the 90s at the Human Rights Day event. Commissioner Jackson stated that she gave him 3 large boxes of notes. Commissioner Collins stated it would be great to have previous Commissioners involved in the 75th anniversary celebrations. Commissioner Jackson stated that it is Ruth's 90th birthday in 2019 as well. Commissioner Ordonez stated he would like the ERC to pass a proclamation/lifetime achievement award recognizing her work. Commissioner Snell stated he would like to find a way to memorialize the ERC history.

8. Community Dialogue & Upcoming Events

Shelley Gregory stated FORGE is hosting a community party at the Milwaukee LGBT Center on Saturday, December 15th. Gregory stated the event is family-friendly and open to the public. Patricia Ruiz-Cantu told the Commission a resident had reached out to her for information about how to navigate the system with an undocumented person who was severely ill. She stated that because the woman was undocumented she was going to see doctors at the 16th street clinic for stomach pains, and being sent home with medication for acid reflux. She eventually went to the emergency room and found out she had stage 4 cancer. She stated the woman did not know how to navigate the system and that she did not know how to complete the right paperwork to keep her children within the family when she passes.

Ruiz-Cantu stated that in 2019 the ERC should advocate for the immigrant community and that the public should be educated on the fact that everyone, regardless of status, should be able to access medical care. Commissioner Ordonez stated the ERC should consider putting immigration status and inclusive medical care for all into the Equal Rights ordinance. Commissioner Moua brought up the Well Woman organization and suggested they be a future partner. She stated that the ERC should play a role in educating the community about their medical options. Commissioner Ordonez stated the ERC should put together a pamphlet with resource information for immigrant families.

Commissioner Ordonez asked Jessica Langill to bring the new health commissioner to the January meeting. He also stated the ERC needs to discuss adding protections for immigrant communities in the new year. Commissioner Moua stated the ERC needs to work to build trust between the city and the community because trust has been broken. Commissioner Jackson stated there are 73,000 homes in Milwaukee with lead water laterals. Patricia Ruiz-Cantu stated that the health department needs to be culturally sensitive about reaching out to the families with emergency lead issues. Commissioner Jackson suggested that the ERC addresses the Health Commissioner about lead issues and have a real conversation about it.

9. Next Meeting Date: Wednesday, January 16, 2019

Commissioner Ordonez stated 2018 has been the best year as far as progress since he has been on the Commission. Commissioner Moua stated she agreed and that she feels the ERC has come a long way. She stated in 2018 the ERC has done a lot for the community and she feels proud to be a part of the ERC. Rebecca Rabatin recognized the ERC and stated the progress of the adaptive bikes would not be where it was at without the ERC. Shelley Gregory also thanked the ERC for their dedication to the LGBTQ+ communities.

10. Adjourn

Meeting adjourned at 4:47 p.m.